

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**

SEE ATTACHMENT

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

SEE ATTACHMENT

E-filing

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

United States Secret Service

- ☐ person is awaiting trial in another Federal or State Court, give name of court

- ☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

- ☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

- ☐ this prosecution relates to a pending case involving this same defendant

- ☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW
DOCKET NO.MAGISTRATE
CASE NO.

3-07-70450

Name and Office of Person
Furnishing Information on
THIS FORM

SCOTT N. SCHOOLS

- ☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

TAMARA WEBER, SAUSA

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

VALERIAN DOBRE

DISTRICT COURT NUMBER

CR 07 0560

DEFENDANT

IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☒ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

San Quentin

Has detainer been filed? ☒ Yes ☐ No

If "Yes" give date filed 7/29/2007

DATE OF
ARREST

Month/Day/Year

7/28/2007

Or... If Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY

- ☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

- ☐ SUMMONS ☒ NO PROCESS*

- ☐ WARRANT Bail Amount: _____

If Summons, complete following:

- ☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: August 31, 2007/9:30 a.m.

Before Judge: Magistrate Judge Joseph Spero

Comments: _____

**VALERIAN DOBRE
PENALTY SHEET**

Count One: Title 18, United States Code, Section 371 - Conspiracy

Maximum Penalties: (Class D Felony)

5 years imprisonment

\$250,000 fine

3 years supervised release

\$100 special assessment

Counts Two through Twelve: Title 18, United States Code, Section 1344 - Bank Fraud

Maximum Penalties: (Class B Felony)

30 years imprisonment

\$1 million fine

5 years supervised release

\$100 special assessment

Count Thirteen: Title 18, United States Code, Section 1029(a)(5) and Title 18, United States Code, Section 2 - Effecting Transactions with an Access Device and Aiding and Abetting

Maximum Penalties: (Class C Felony)

15 years imprisonment

\$250,000 fine

3 years supervised release

\$100 special assessment

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**

SEE ATTACHMENT

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

SEE ATTACHMENT

E-filing

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

United States Secret Service

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

TAMARA WEBER, SAUSA

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

COSTEL FARMAZON

DISTRICT COURT NUMBER

CR 07 0560

AUG 28 2007
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

San Quentin

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

**COSTEL FARMAZON
PENALTY SHEET**

Count One: Title 18, United States Code, Section 371 - Conspiracy

Maximum Penalties: (Class D Felony)

5 years imprisonment

\$250,000 fine

3 years supervised release

\$100 special assessment

Counts Two through Twelve: Title 18, United States Code, Section 1344 - Bank Fraud

Maximum Penalties: (Class B Felony)

30 years imprisonment

\$1 million fine

5 years supervised release

\$100 special assessment

Count Thirteen: Title 18, United States Code, Section 1029(a)(5) and Title 18, United States Code, Section 2 - Effecting Transactions with an Access Device and Aiding and Abetting

Maximum Penalties: (Class C Felony)

15 years imprisonment

\$250,000 fine

3 years supervised release

\$100 special assessment

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

VALERIAN DOBRE and COSTEL FARMAZON

E-filing

CR 07 0560

DEFENDANT.

JSW

INDICTMENT

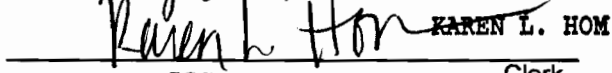
18 U.S.C. § 371 - Conspiracy; 18 U.S.C. § 1344 - Bank
Fraud; 18 U.S.C. § 1029 (a)(5) - Effecting Transactions
with an Access Device; 18 U.S.C. § 2 - Aiding and
Abetting

A true bill.


Foreman

Filed in open court this 28th day of

Aug 2007


KAREN L. HOM
Clerk
JOSEPH C. SPERO
UNITED STATES MAGISTRATE JUDGE

Bail, \$

Δ Dobre → no process
Δ Farmazon → no bail
arrest
warrant.

FILED

AUG 28 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

007-560JSW

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

E-filing

FILED
AUG 28 2007
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JSW

CR 07 0560
No.

UNITED STATES OF AMERICA,

Plaintiff,

v.

VALERIAN DOBRE, and
COSTEL FARMAZON,

Defendants.

VIOLATIONS:
18 U.S.C. § 371 - Conspiracy; 18 U.S.C. §
1344 - Bank Fraud; 18 U.S.C. § 1029(a)(5) -
Effecting Transactions with an Access
Device; 18 U.S.C. § 2 - Aiding and
Abetting.

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

Introductory Allegations

At all times relevant to this Indictment:

1. Citibank was a "financial institution" within the meaning of 18 U.S.C. §20(1). At all times, Citibank's deposits were insured by the Federal Deposit Insurance Corporation.

2. Citibank bank account numbers, automated teller machine ("ATM") numbers, and personal identification numbers ("PIN") were "access devices" within the meaning of 18 U.S.C. § 1029(e)(1).

//

1 COUNT ONE: (18 U.S.C. § 371- Conspiracy)

2 3. From a date unknown, but no later than in or around May 2007, through on a date
3 unknown, but no earlier than on or about July 28, 2007, in the Northern District of California and
4 elsewhere, the defendants,

5 VALERIAN DOBRE, and
6 COSTEL FARMAZON,

7 and others, conspired to commit an offense against the United States, specifically, Bank Fraud, in
8 violation of Title 18, United States Code, Section 1344; and Effecting Transactions with an
9 Access Device, in violation of Title 18, United States Code, Section 1029(a)(5).

10 The Scheme to Defraud

11 4. Between a date unknown, but no later than in or around May 2007, and through a
12 date unknown, but no earlier than on or about July 28, 2007, the defendants did knowingly and
13 intentionally execute a material scheme and artifice to defraud a financial institution and to
14 obtain monies and funds owned by and under the custody and control of a financial institution,
15 by means of materially false and fraudulent pretenses, representations, and promises, well
16 knowing that the pretenses, representations, and promises were materially false when made.

17 5. It was part of the scheme and artifice to defraud that the defendants knowingly
18 and with intent to defraud effected transactions with one or more access devices issued to another
19 person or persons, to receive payment or any other thing of value during a one year period, the
20 aggregate value of which was equal to or greater than \$1000.

21 6. In or around July 2007, DOBRE, FARMAZON, and/or others obtained Citibank
22 ATM card numbers, account numbers, and PINs without authorization.

23 7. In or around July 2007, DOBRE, FARMAZON, and/or others obtained money
24 under the custody and control of Citibank, under the fraudulent pretenses of using these ATM
25 card numbers and pin numbers belonging to other persons, knowing that such access devices
26 belonged to other persons.

27 Overt Acts

28 8. In furtherance of the conspiracy and to accomplish the objects thereof, DOBRE

1 and FARMAZON committed and caused to be committed at least one of the following overt acts,
2 among others, in the Northern District of California, and elsewhere;

3 8. On or about May 29, 2007, DOBRE entered into the United States pursuant to a
4 B2 Business Visa, telling a Customs and Boarder Protections Service (CBP)/Immigration and
5 Customs Enforcement (ICE) inspector that the reason he was in the United States was to
6 purchase a "Hummer" automobile and export it to Spain.

7 9. On or about July 21, 2007, at or about 7:16 p.m., DOBRE used ATM card number
8 XXXXXXXXXXXX74536 and the corresponding PIN number, both issued to another person, to
9 withdraw \$1,000 from Citibank ATM machine number FC 732, located at 8485 Wilshire
10 Boulevard in Los Angeles, California, knowing that these access devices were issued to another
11 person and that he did not have authority to use such access devices.

12 10. On or about July 27, 2007, at or about 3:04 p.m., FARMAZON used ATM card
13 number XXXXXXXXXXXX76151 and the corresponding PIN number, both issued to another
14 person, to withdraw \$6,000 from Citibank ATM machine number FC 41, located at 4455 Geary
15 Street in San Francisco, California, knowing that these access devices were issued to another
16 person and that he did not have authority to use such access devices.

17 11. On or about July 27, 2007, at or about 4:11 p.m., DOBRE used ATM card number
18 XXXXXXXXXXXX67049 and the corresponding PIN number, both issued to another person, to
19 withdraw \$4,000 from Citibank ATM machine number FC 948, located at 2499 Ocean Avenue
20 in San Francisco, California, knowing that these access devices were issued to another person
21 and that he did not have authority to use such access devices.

22 12. On or about July 27, 2007, at or about 5:11 p.m., FARMAZON used ATM card
23 number XXXXXXXXXXXX38192 and the corresponding PIN number, both issued to another
24 person, to withdraw \$2,000 from Citibank ATM machine number FC 963, located at 6100 Geary
25 Boulevard in San Francisco, California, knowing that these access devices were issued to another
26 person and that he did not have authority to use such access devices.

27 13. On or about July 27, 2007, at or about 5:30 p.m., FARMAZON used ATM card
28 number XXXXXXXXXXXX68837 and the corresponding PIN number, both issued to another

1 person, to withdraw \$2,000 from Citibank ATM machine number FC 912, located at 701 Irving
2 Street in San Francisco, California, knowing that these access devices were issued to another
3 person and that he did not have authority to use such access devices.

4 14. On or about July 27, 2007, at or about 6:34 p.m., DOBRE used ATM card number
5 XXXXXXXXXXXX93167 and the corresponding PIN number, both issued to another person, to
6 withdraw \$440 from Citibank ATM machine number FC 905, located at 1399 Post Street in San
7 Francisco, California, knowing that these access devices were issued to another person and that
8 he did not have authority to use such access devices.

9 15. On or about July 27, 2007, at or about 7:04 p.m., FARMAZON used ATM card
10 number XXXXXXXXXXXX02753 and the corresponding PIN number, both issued to another
11 person, to withdraw \$2,000 from Citibank ATM machine number FC 941, located at 1900
12 Noriega Street in San Francisco, California, knowing that these access devices were issued to
13 another person and that he did not have authority to use such access devices.

14 16. On or about July 27, 2007, at or about 7:14 p.m., DOBRE used ATM card number
15 XXXXXXXXXXXX10107 and the corresponding PIN number, both issued to another person, to
16 withdraw \$2,000 from Citibank ATM machine number FC 334, located at 2400 19th Street in San
17 Francisco, California, knowing that these access devices were issued to another person and that
18 he did not have authority to use such access devices.

19 17. On or about July 27, 2007, at or about 8:14 p.m., FARMAZON used ATM card
20 number XXXXXXXXXXXX02445 and the corresponding PIN number, both issued to another
21 person, to withdraw \$2,000 from Citibank ATM machine number FC 378, located at 2000 Irving
22 Street in San Francisco, California, knowing that these access devices were issued to another
23 person and that he did not have authority to use such access devices.

24 18. On or about July 27, 2007, at or about 8:22 p.m., DOBRE used ATM card number
25 XXXXXXXXXXXX78568 and the corresponding PIN number, both issued to another person, to
26 withdraw \$2,000 from Citibank ATM machine number FC 388, located at 130 West Portal in
27 San Francisco, California, knowing that these access devices were issued to another person and
28 that he did not have authority to use such access devices.

1 19. On or about July 27, 2007, at or about 8:43 p.m., FARMAZON used ATM card
2 number XXXXXXXXXXXX68074 and the corresponding PIN number, both issued to another
3 person, to withdraw \$2,000 from Citibank ATM machine number FC 51, located at 4638
4 Mission Street in San Francisco, California, knowing that these access devices were issued to
5 another person and that he did not have authority to use such access devices.

6 20. On or about July 28, 2007, at or about 8:28 a.m., FARMAZON used ATM card
7 number XXXXXXXXXXXX23925 and the corresponding PIN number, both issued to another
8 person, to withdraw \$1,000 from Citibank ATM machine number FC 306, located at 3296
9 Sacramento Street in San Francisco, California, knowing that these access devices were issued to
10 another person and that he did not have authority to use such access devices.

11 21. On or about July 28, 2007, at or about 9:10 a.m., FARMAZON used ATM card
12 number XXXXXXXXXXXX36265 and the corresponding PIN number, both issued to another
13 person, to withdraw \$1,000 from Citibank ATM machine number FC 5, located at 1801 Van
14 Ness Avenue in San Francisco, California, knowing that these access devices were issued to
15 another person and that he did not have authority to use such access devices.

16 22. On or about July 28, 2007, at or about 2:14 p.m., DOBRE used ATM card number
17 XXXXXXXXXXXX01652 and the corresponding PIN number, both issued to another person, to
18 withdraw \$2,000 from Citibank ATM machine number FC 904, located at 99 Post Street in San
19 Francisco, California, knowing that these access devices were issued to another person and that
20 he did not have authority to use such access devices.

21 23. On or about July 28, 2007, at or about 4:36 p.m., DOBRE, FARMAZON, and/or
22 others used ATM card number XXXXXXXXXXXX13692 and the corresponding PIN number,
23 both issued to another person, to withdraw \$1,000 from Citibank ATM machine number FC 398,
24 located at 590 Market Street in San Francisco, California, knowing that these access devices
25 were issued to another person and that he did not have authority to use such access devices.

26 24. On or about July 28, 2007, at or about 5:26 p.m., DOBRE used ATM card number
27 XXXXXXXXXXXX66056 and the corresponding PIN number, both issued to another person, to
28 withdraw \$1,000 from Citibank ATM machine number FC 303, located at 264 California Street

1 in San Francisco, California, knowing that these access devices were issued to another person
2 and that he did not have authority to use such access devices.

3 25. On or about July 28, 2007, at or about 6:29 p.m., FARMAZON used ATM card
4 number XXXXXXXXXXXX35222 and the corresponding PIN number, both issued to another
5 person, to withdraw \$2,000 from Citibank ATM machine number FC 354, located at 245 Market
6 Street in San Francisco, California, knowing that these access devices were issued to another
7 person and that he did not have authority to use such access devices.

8 26. On or about July 28, 2007, at or about 7:27 p.m., FARMAZON used ATM card
9 number XXXXXXXXXXXX50776 and the corresponding PIN number, both issued to another
10 person, to withdraw \$1,900 from Citibank ATM machine number FC 368, located at 451
11 Montgomery Street in San Francisco, California, knowing that these access devices were issued
12 to another person and that he did not have authority to use such access devices.

13 All in violation of Title 18, United States Code, Section 371.

14 COUNTS TWO THROUGH TWELVE: (18 U.S.C. §§ 1344 (1), (2) and 18 U.S.C. § 2 - Bank
15 Fraud and Aiding and Abetting)

16 27. Paragraphs 1-26 of the Indictment are hereby re-alleged and incorporated by
17 reference as if set forth in full herein.

18 28. On or about the following dates, in the Northern District of California and
19 elsewhere, for the purpose of knowingly executing and attempting to execute a material scheme
20 and artifice to defraud a financial institution, and for the purpose of obtaining moneys and funds
21 owned by and under the custody and control of a financial institution by means of materially false
22 and fraudulent pretenses, representations and promises, well knowing that the pretenses,
23 representations and promises were materially false when made, the defendant,

24 VALERIAN DOBRE, and
25 COSTEL FARMAZON,

26 did knowingly make and cause to be made the following unauthorized ATM cash withdrawals:

27 //

28 //

//

<u>Count</u>	<u>Date</u>	<u>Withdrawal Amount</u>	<u>Last 5 Digits Card Number</u>	<u>ATM Machine/ branch</u>	<u>Person Making Withdrawal</u>
2	7/27/07	\$4,000	67049	FC 948, 2499 Ocean Avenue, San Francisco, California	Dobre
3	7/27/07	\$440	93167	FC 905, 1399 Post Street, San Francisco, California	Dobre
4	7/27/07	\$2,000	10107	FC 334, 2400 19 th Street, San Francisco, California	Dobre
5	7/27/07	\$2,000	78568	FC 388, 130 West Portal, San Francisco, California	Dobre
6	7/28/07	\$1,000	23925	FC 306, 3296 Sacramento Street, San Francisco, California	Farmazon
7	7/28/07	\$1,000	36265	FC 5, 1801 Van Ness Avenue, San Francisco, California	Farmazon
8	7/28/07	\$2,000	01652	FC 904, 99 Post Street, San Francisco, California	Dobre
9	7/28/07	\$1,000	13692	FC 398, 590 Market Street, San Francisco, California	Unknown
10	7/28/07	\$1,000	66056	FC 303, 264 California Street, San Francisco, California	Dobre
11	7/28/07	\$2,000	35222	FC 354, 245 Market Street, San Francisco, California	Farmazon
12	7/28/07	\$1,900	50776	FC 368, 451 Montgomery Street, San Francisco, California	Farmazon

1 All in violation of Title 18, United States Code, Sections 1344(1) and (2) and 2.

2 COUNT THIRTEEN: (18 U.S.C. §§ 1029(a)(5) and 2 - Effecting Transactions with an Access
3 Device and Aiding and Abetting)

4 29. Paragraphs 1-26 of the Indictment are hereby re-alleged and incorporated by
5 reference as if set forth in full herein.

6 30. From on or about July 27, 2007, through on or about July 28, 2007, in the
7 Northern District of California, the defendants,

8 VALERIAN DOBRE, and
9 COSTEL FARMAZON,

10 did knowingly and with intent to defraud effect transactions, in and affecting interstate and
11 foreign commerce, with one or more access devices issued to another person or persons, to
12 receive payment and any other thing of value during a one-year period, the aggregate value of
13 which was equal to or greater than \$1,000, in violation of Title 18, United States Code, Section
14 1029(a)(5).

15 COUNT FOURTEEN: (18 U.S.C. § 982 (a)(2) - Forfeiture)

16 31. The allegations contained in Paragraphs 1-26 of this Indictment are
17 realleged as though fully set forth herein.

18 32. Upon a conviction for the conspiracy offense charged in Count One, bank fraud
19 offenses charged in Counts Two through Twelve or the unauthorized use of an access offense
20 charged in Count Thirteen, the defendants,

21 VALERIAN DOBRE and
22 COSTEL FARMAZON,

23 shall forfeit to the United States any and all property constituting, or derived from, proceeds they
24 obtained directly and indirectly as the result of the above-described offenses, pursuant to Title 18,
25 United States Code, Section 982 (a)(2).

26 //

27 //

28 //

//


1 DATED:

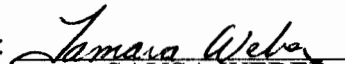
A TRUE BILL.

2 08/28/07

3 
4 FOREPERSON

5 SCOTT N. SCHOOLS
6 United States Attorney

7 
8 BRIAN J. STRETCH
9 Chief, Criminal Division

10 (Approved as to form: 
11 SAUSA WEBER
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